

CITY OF LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for November 09, 2005 PLANNING COMMISSION MEETING

P.A.S.: County Final Plat No.05107
Wendelin Estates

PROPOSAL: A final plat consisting of one lot

LOCATION: S. W. 62nd Street and W. Sprague Road

LAND AREA: 75.74 acres, more or less.

CONCLUSION: Final plat is in conformance with the preliminary plat.

RECOMMENDATION:

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Outlot A, Kicking Bird Subdivision, located in the SE 1/4 of Section 25, T8N, R5E of the 6th P.M., Lancaster County, Nebraska;

EXISTING ZONING: AG Agricultural.

EXISTING LAND USE: Farmland.

SURROUNDING LAND USE AND ZONING:

North: Agriculture, zoned AG

South: Agriculture and about six acreage dwellings, zoned AG

East: Kicking Bird subdivision and Blue Stem Lake, zoned AGR

West: Agriculture, zoned AG

HISTORY: The Final Plat for Kicking Bird Subdivision was approved in April 1998. The Preliminary Plat was approved in June 1997. The County Board approved a change of zone from AG to AGR on the east of this parcel in June 1996.

UTILITIES: Individual well water and waste treatment is proposed.

TRAFFIC ANALYSIS: West Sprague Road is a paved county road. S.W. 58th is a "T" intersection and is a county gravel road to the south. S.W. 62nd is a gravel local street.

ANALYSIS:

1. This final plat is for the purpose of changing a non-buildable outlot to a buildable plated lot. The original Outlot designation was due to land trust provisions, not subdivision or zoning requirements.
2. There are no delinquent taxes against the land and there are no liens for taxes which have been levied but not yet delinquent.
3. The final plat conforms to the approved preliminary plat.
4. The County Engineer's letter of September 6, 2005 notes no objections.
5. All improvements are in place.

CONDITIONS:

1. Prior to scheduling this final plat onto the County Board's agenda:
 - 1.1 The Final Plat Mylar shall have the following changes made to it:
 - 1.1.1 Revise the plat to show a signature block for the Planning Commission and an additional signature block for the County Clerk.
 - 1.1.2 Remove the signature block for the Planning Director and reference to LMC 26.11.060.
 - 1.1.3 Revise the first paragraph of the Dedication to remove "City of Lincoln".
 - 1.1.4 The name and number of the preliminary plat upon which the final plat is based must appear directly beneath the name of the final plat.
 - 1.1.5 Provide a corrected Mylar signed in black opaque ink and six copies to the Planning Department.
 - 1.2 Submit a certificate of title, ownership certificate, or a title opinion prepared by a title company or an attorney stating the record owner(s) and lien holder(s) of all land within the boundary of this final plat
 - 1.3 All improvements must be in place and approved by the County Engineer.

2. The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

2.1 To submit to the County Engineer an erosion control plan.

2.2 To protect the remaining trees on the site during construction and development.

2.3 To submit to lot buyers and home builders a copy of the soil analysis and water report.

2.4 To complete the private improvements shown on the preliminary plat.

2.5 To maintain the private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.

2.6 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.

2.7 To maintain County roads until the County Board specifically accepts the maintenance.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planner
October 20, 2005

APPLICANT: Debra Wendelin
P.O. Box 23
Martell, NE 68404
(402) 794-5375

OWNER: Debra Wendelin

CONTACT: JD Burt
Design Associates
1609 "N" Street
Lincoln, NE 68508
(402) 474-3000

Q:\PC\FP\05000\FP05107 Wendelin Estates.mvd.wpd



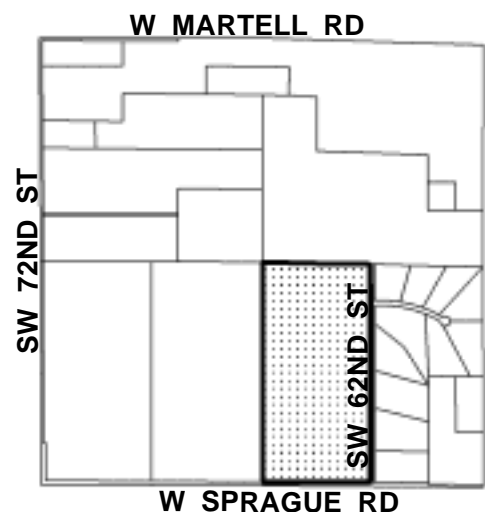
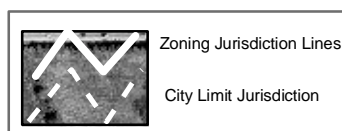
County Final Plat #05107 **Wendelin Estates** **SW. 62nd & W. Sprague Rd.**

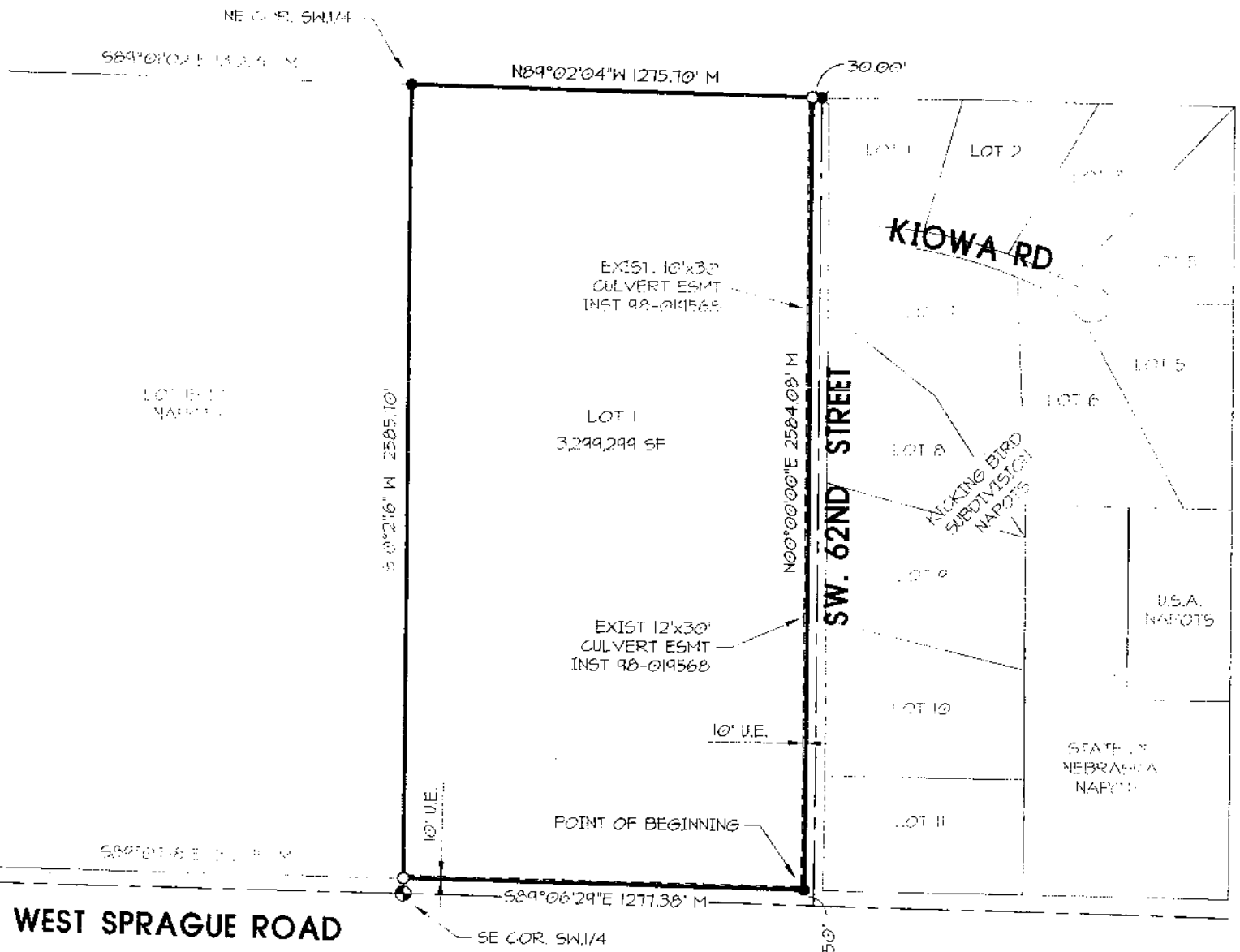
2002 aerial

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 25 T08N R5E





County Final Plat #05107
Wendelin Estates
SW. 62nd & W. Sprague Rd.



LEGAL DESCRIPTION

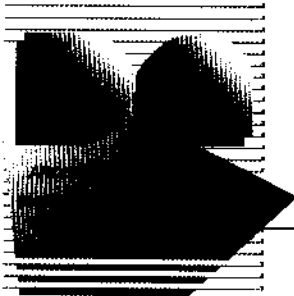
I HEREBY CERTIFY THAT I CAUSED TO BE SURVEYED THE SUBDIVISION TO KNOWN AS "WENDELIN ESTATES" A SUBDIVISION OF OUTLOT "A", KICKING BIRD SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER ALL IN SECTION 25, TOWNSHIP 8 NORTH, RANGE 5 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF SAID OUTLOT "A"; THENCE IN A NORTHERLY DIRECTION, ALONG THE EAST LINE OF SAID OUTLOT "A", ON AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 2584.08 FEET TO THE NORTHEAST CORNER OF SAID OUTLOT "A"
THENCE NORTH 89 DEGREES 02 MINUTES 04 SECONDS WEST, ALONG THE NORTH LINE OF SAID OUTLOT "A" FOR A DISTANCE OF 1275.70 FEET TO NORTHWEST CORNER OF SAID OUTLOT "A"
THENCE SOUTH 00 DEGREES 02 MINUTES 16 SECONDS WEST, ALONG THE WEST LINE OF SAID OUTLOT "A", FOR A DISTANCE OF 2585.70 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT A
THENCE SOUTH 89 DEGREES 06 MINUTES 29 SECONDS EAST, ALONG THE SOUTH LINE OF SAID OUTLOT "A", FOR A DISTANCE OF 1277.38 FEET TO THE POINT OF BEGINNING

TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD.

SAID PROPERTY CONTAINS 75.14 ACRES MORE OR LESS.

ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMALS OF A FOOT AND ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**County Final Plat #05107
Wendelin Estates
SW. 62nd & W. Sprague Rd.**



**Design
Associates** of Lincoln, Inc.

Pershing Square
1609 'N' Street
Lincoln, NE 68508
Phone: (402) 474-3000 • Fax: (402) 474-4045

September 29, 2005

Marvin Krout
Lincoln/Lancaster County
Planning Department
555 South 10th Street
Lincoln, Nebraska 68508

RE: Administrative Final Plat
Wendelin Estates
SW 62nd and West Sprague Road

Mr. Krout,

Attached for approval, please find an administrative final plat for property located at the northwest of SW 62nd Street and West Sprague Road. The property is legally described as Outlot "A", Kicking Bird Subdivision. The owner is working toward sale of the potential sale of the property as a buildable lot. In the event the current buyer does not purchase this property upon approval of an administrative final plat, the property will be combined with the adjacent property to the west (Lot 15 owned by a family member) to create a CUP for the combined Wendelin ownership. Hopefully, the Wendelin property will not be burdened with the adjacent development's name.

A certificate of ownership and tax statement will be submitted under separate cover.

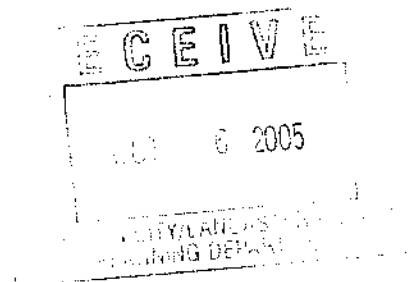
Please advise if additional information is desired.

Sincerely,

J.D. Burt
For the firm

Attachments: Application for Final Plat
Final Plat Checklist
15- final plat

EC: Deb Wendelin



**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE:

October 17, 2005

DEPARTMENT: Planning

FROM:

Chris Schroeder

ATTENTION:

DEPARTMENT:

Health

CARBONS TO: EH File

SUBJECT: Wendelin Estates

EH Administration

FP #05107

The Lincoln-Lancaster County Health Department has reviewed the final application with the following noted:

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Lancaster

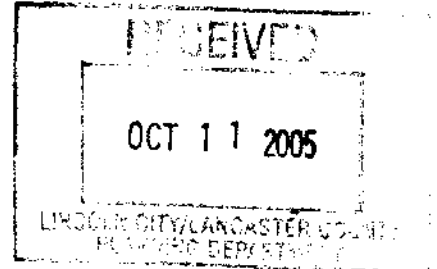
DON R. THOMAS - COUNTY ENGINEER

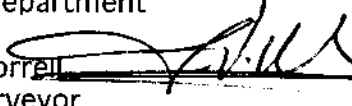
County

Engineering

Department

DEPUTY - LARRY V. WORRELL
COUNTY SURVEYOR



DATE: October 10, 2005
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: WENDELIN ESTATES
ADMINISTRATIVE FINAL PLAT NO. 05107

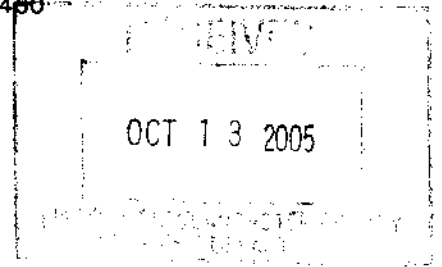
Upon review, this office has no direct objections to this submittal.

LVW/bml
Barbi/Subdiv.wk/Wendelin Estates FP. Mem.



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68460
402/423-3855
FAX 402/423-8090



October 12, 2005

Mike Dekalb, Project Planner
555 S. 10th St. #213
Lincoln, NE 68508

RE: Wendelin Estates

Dear Mike,

I have reviewed the subject plat and see no need for easements at this time.

Thanks for your cooperation.

Sincerely,

Rick Volmer, Staking Engineer